

REMARKS

Claims 1-9 are pending. The Office Action dated June 29, 2004, in this Application has been carefully considered. The above amendments and the following remarks are presented in a sincere attempt to place this Application in condition for allowance. Claims 1-9 have been amended in this Response. Reconsideration and allowance are respectfully requested in light of the above amendments and following remarks.

An interview was held with the Examiner, Mr. Mike Nguyen, on August 26, 2004, to discuss the rejections under 35 U.S.C. §102(e) and proposed amendments to Claims 1-9. Applicant's representative thanks the Examiner for the courtesies extended.

Claims 1-9 stand rejected under 35 U.S.C. §102(e) by U.S. Patent No. 6,735,677 by Stewart ("Stewart"). Insofar as they may be applied against the Claim, these rejections are overcome.

Rejected independent Claim 1 as now amended more particularly recites one of the distinguishing characteristics of the present invention, namely, "providing an age queue and a data queue." Support for this Amendment can be found, among other places, page 5, lines 8-30 of the original Application.

Stewart does not suggest, teach, or disclose distinct age and data queues. Specifically, Stewart teaches a single queue that contains both data and addresses. By employing multiple queues that account for age and for the data, the data can be more efficiently arbitrated to and from destinations. Therefore, by maintaining an independent age queue as in the present invention of Claim 1, the relative age of commands can be monitor so as not to potentially "freeze out" specific commands, but instead can allow for older commands to be executed, which is not taught in Stewart.

In view of the foregoing, it is apparent that the cited references do not disclose, teach or suggest the unique combination now recited in amended Claim 1. Applicant therefore submits that amended Claim 1 is clearly and precisely distinguishable over the cited reference in a patentable sense, and is therefore allowable over this reference and the remaining references of record. Accordingly, Applicant respectfully requests that the rejection of Claim 1 under 35 U.S.C. § 102(e) in view of Stewart be withdrawn and that Claim 1 be allowed.

Applicant contends that the rejection of Claims 2-9 are overcome for at least some of the reasons that the rejection of Claim 1 as amended is overcome. These reasons include Stewart not disclosing, teaching, or suggesting distinct age and data queues. Applicant therefore respectfully submits that amended Claim 2-9 are clearly and precisely distinguishable over the cited references in any combination.

In view of the foregoing, it is apparent that the cited references do not disclose, teach or suggest the unique combination now recited in amended Claims 2-9. Applicant therefore submits that amended Claims 2-9 are clearly and precisely distinguishable over the cited reference in a patentable sense, and is therefore allowable over this reference and the remaining references of record. Accordingly, Applicant respectfully requests that the rejection of Claim 2-9 under 35 U.S.C. § 102(e) in view of Stewart be withdrawn and that Claims 2-9 be allowed.

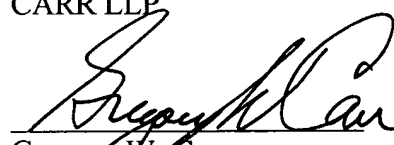
Applicant has now made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-9.

Applicant requests an extension of time for making this reply, and encloses a check in the amount of \$110.00 for the required fee. Applicant does not believe that any other fees are due; however, in the event that any other fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 50-0605 of CARR LLP.

Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

CARR LLP


Gregory W. Carr
Reg. No. 31,093

Dated: 10/19/04
CARR LLP
670 Founder's Square
900 Jackson Street
Dallas, Texas 75202
Telephone: (214) 760-3030
Fax: (214) 760-3003